

**REMARKS**

The Examiner indicated in a telephone interview of June 5, 2006, that claims 1-19 would be allowed over the prior art of record if a proposed Examiner's Amendment were accepted by Applicant. The Examiner's Amendment proposed amending independent claim 3 with language from independent claim 1, and amending independent 17 with the language from claim 20 and subsequently canceling claim 20.

However, in a telephone interview on June 13, 2006, wherein Applicant had communicated to the Examiner the acceptance of the proposed Examiner's Amendment, the Examiner stated she had already mailed an Office Action.

Applicant herein presents an amendment to the Title and to the claims consistent with the proposed Examiner's Amendment of June 5, 2006.

Claims 1-19 are all the claims presently pending in this application. Claims 3 and 17 have been amended to more particularly define the claimed invention. Claim 20 has been canceled.

It is noted that the amendments are made only to more particularly define the invention and not for distinguishing the invention over the prior art, for narrowing the scope of the claims, or for any reason related to a statutory requirement for patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Applicant gratefully acknowledges the Examiner's indication in the telephone interview of June 5, 2006, that claims 1-2, 4-16 and 18 have been allowed over the prior art of record. Applicant has included the allowable subject matter of claim 1 into independent

claim 3, and the allowable subject matter of claim 20 into claim 17, to thereby pass all the claims to allowance. Consequently, claim 20 has been canceled.

Claims 1-20 are subject to a restriction and/or election requirement.

The Examiner alleges that claims 1-16 and 17-20 are generic to the following disclosed patentably distinct species:

**Group I**, drawn to an electronic device as suggested by **claims 1-16**; and

**Group II**, drawn to a method of manufacturing as suggested by **claims 17-20**.

This restriction requirement is respectfully traversed in view of the following discussion.

#### **I. THE ALLEGED RESTRICTION REQUIREMENT**

Applicant respectfully traverses the restriction requirement as imposed by the Examiner as being improper for the following reasons. M.P.E.P. § 803 states the two criteria for a proper requirement for restriction between patently distinct inventions:

(A) The inventions must be independent (see MPEP § 802.01, § 806.06, § 808.01) or distinct as claimed (see MPEP § 806.05 - § 806.05(j)); and

(B) There would be a serious burden on the examiner if restriction is not required (see MPEP § 803.02, § 808, and § 808.02).

First, Applicant contends that the Examiner's statement offering proof that the alleged inventions are distinct, "in the instant case the device does not require electrically connecting the (shielding) conductor and the ground layer," is incorrect.

Independent claim 1 recites, "*wherein the side plate sections (of the shielding conductor) are electrically connected to the ground layer via a plurality of connecting means.*"

Additionally, independent claim 17 recites, “*the shielding conductor is electrically connected to a ground layer of the mounting substrate,*” and “*electrically connecting the shielding conductor to the ground layer.*”

Additionally, Applicant contends that there would be no serious burden on the Examiner if the restriction requirement were not required. M.P.E.P. § 803 states that *prima facie* showing of a serious burden may be rebutted by appropriate showings or evidence by the Applicant. Applicant provides the following **TABLE A** to demonstrate the similarity between independent claims 1 and 17, and thus the lack of a serious burden of examination to the Examiner.

**TABLE A**

Claim 1. (Previously Presented)	Claim 17. (Currently Amended)
An electronic device, comprising:	A method of manufacturing an electronic device including
a chip part having an upper surface;	a chip part mounted on a surface of a mounting substrate,
a shielding conductor united with the upper surface of the chip part,	a shielding conductor united with and covering an upper surface of the chip part,  wherein the shielding conductor is electrically connected to a ground layer of the mounting substrate, the method of manufacturing comprising:
the shielding conductor including a ceiling plate section covering the chip part and opposed side plate sections united with and extending below the ceiling plate section and projecting in a horizontal direction around two sides of the chip part; and	assembling the chip part with the shielding conductor into a unit,  the shielding conductor including a ceiling plate section united to and covering the chip part, and opposed side plate sections united with the ceiling plate section and extending below the ceiling plate section and projecting in a horizontal direction around two sides of the chip part;
a mounting substrate having a ground layer,	arranging on the mounting substrate in which the ground layer is formed the shielding conductor assembled with the chip part into the unit;
wherein the side plate sections are electrically connected to the ground layer via a plurality of connecting means,	mounting the chip part on a surface of the mounting substrate, and electrically connecting the shielding conductor to the ground layer at the

Claim 1. (Previously Presented)	Claim 17. (Currently Amended)
wherein a width W of the ceiling plate section in a front-rear direction is sized greater than or equal to twice a harmonic mean of a length L of the ceiling plate section in a horizontal direction between the opposed side plate sections and a height H of the ceiling plate section in a vertical direction above the mounting substrate.	same time, and <u>sizing a width W of a ceiling plate section of a shielding conductor in a front-rear direction greater than or equal to twice a harmonic mean of a length L of the ceiling plate section in a horizontal direction between opposed side plate sections and a height H of the ceiling plate section in a vertical direction above the mounting substrate.</u>

Therefore, Applicant contents that there would be no *serious* burden on the Examiner if the restriction were *not* required.

Applicant respectfully request the Examiner to reconsider and withdraw the restriction requirement in light of the above arguments, and pass the application to issue based on the amendment included herewith.

## II. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-19 all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date:

July 19, 2006

Respectfully Submitted,

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